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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,370	03/26/2001	Yukihiro Abiko	122.1447	7330
21171	7590	06/19/2007		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER NGUYEN, HUY THANH	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 06/19/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/816,370	ABIKO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	HUY T. NGUYEN	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2007.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 5, 7, 8, 10-13, 16, 17, 19-21 and 23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 5, 7, 8, 10-13, 16, 17, 19-21 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1,4-5,7 ,10-11 ,13 and 16-17 , 19 –21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okazaki et al (5,666,555) in view of Hibi et al (5,546,191).

Regarding claims 1, 7-9 ,19 and 23, Okazaki discloses a video recording and reproducing apparatus (Fig. 4) comprising:

a recording means (301) for recording the images and sound (column 4, lines 15-35)

randomly accessible data storage means (107) for storing the images recorded in said image recording means (column 4, lines 15-30);

image display means for displaying in one screen a plurality of images read out from said data storage means (Fig. 2 and 5) ;

sound selection means (102) ;

information processing means (95) for controlling said data storage means and said image displaying means ,wherein said information processing mean controls said data storage means and said image displaying means in such a manner that a plurality of images recorded in said image recording means at different time points are read from said data storage means and displayed in a single screen a sound designated by the user (column 3, line 50 to column 4, line 10).; and

an interface means for selecting one of a rapid speed and a pause and for searching the content and pausing the reproducing the images since it is required to any reproducing apparatus for reproducing the images or video signal from a medium .

Okazaki fails to teach using the time point for the images and an input for inputting a video signal of images the images.

Hibi teaches a recording / reproducing apparatus having an input means for inputting video signals of images at different time points and a control means for pausing the reproducing of the recorded video signal .

It would have been obvious to one ordinary skill in the art to modify Okazaki with Hibi by providing an input means as taught by Hibi with the apparatus of Okazaki

thereby enhancing the capability of the apparatus of Okazaki in selecting the video signals to be recorded .

Method claim 13 corresponds to apparatus claim 1. Therefore, method claim 13 is rejected by the same reason as applied to apparatus claim 1.

Further for claim 13, Okazaki as modified with Hibi further teaches a medium for storing a program comprising the steps recited in the claim since Hibi teaches reproducing and displaying the images are executed and controlled by a controller (See Okazaki Fig. 1 and 4, column 2, lines 58-68, Hibi, Fig. 16 and 27, column 31, line 41 to column 32, line 40)

Regarding claims 4,10,16 and 20, Okazaki as modified with Hibi further teaches the user interface means interposed between said information processing means and the user, wherein a plurality of the image contents stored in said data storage means are converted into a data base capable of being searched and sorted, and at least one of the image contents included in a group of image contents searched for and sorted from said data base (See Hibi, column 24, lines 40-60, column 32, lines 1-40) , and synthesizing the changed image contents with the image content at the same time and is displayed in a single screen in accordance with the information input from said user interface means (See Hibi , Fig. 16).

Regarding claims 5,11,17 and 21 , Okazaki as modified with Hibi further teaches wherein the image contents selected through said user interface means are changed to other image contents and the resulting image contents are displayed in a

single screen by being synthesized with the image contents under generation (See Hibi, Fig. 16, column 24, lines 40-60).

### ***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T. NGUYEN whose telephone number is (571) 272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

H.N

HUY N. NGUYEN  
PRIMARY EXAMINER